

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KENNETH ROGERS)
Plaintiff,)
v.) Case No.: 3:04 cv 10 DRH
RANDO MACHINE CORP.,)
Defendant.)

ORDER

This matter is before the Court on the Motion for Reconsideration filed by the plaintiff, Kenneth Rogers, on June 20, 2005 (Doc. 46). For the reasons set forth below, the motion is **DENIED**.

Background

On June 17, 2005, this Court, after briefing and a hearing, granted the defendant leave to conduct a vocational examination of the plaintiff. The plaintiff now seeks reconsideration of that order based on a preliminary report issued by the defendant's expert that he received on June 15, 2005. The plaintiff argues that the preliminary report evidences the fact that the defendant's expert will conduct no examination or tests that are different from or better than the tests performed by his own expert.

Discussion

While often filed, there is technically no rule of Civil Procedure which recognizes a motion for reconsideration in this instance. Nonetheless, the Court declines to reconsider the previous ruling. If the plaintiff wished to put forth an argument that was available on June 15, 2005, he should have done so prior to this Court's ruling on June 17, 2005. The plaintiff further

has not advanced any argument that would compel this Court to reconsider its previous ruling; nor has he provided any case authority that is binding on this Court.

For the foregoing reasons, the Motion for Reconsideration filed by the plaintiff, Kenneth Rogers, on June 20, 2005 is **DENIED** (Doc. 46).

DATED: July 13, 2005

s/ Donald G. Wilkerson
DONALD G. WILKERSON
United States Magistrate Judge